

DECLARATION COMBINED WITH POWER OF ATTORNEY

Page 1 of 3

Attorney Docket No. 8041M

Below named inventor, I hereby declare that:

Residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TRITIONALLY BALANCED TRADITIONAL SNACK FOODS

The specification of which

(check one)

☒ ☐

is attached hereto.

was filed on _____ as United States Application No. or
PCT International Application Serial No. _____
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes☐ No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/196,878

April 12, 2000

Application Serial No.

Filing Date

Application Serial No.

Filing Date

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (If applicable)

As named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Atty Name

Atty Reg Number

Associate Power
of Attorney Attached
☐ Yes ☒ No

James F. Mc Bride

43,784

Carl J. Roof

37,708

Steven W. Miller

31,984

T. David Reed

32,931

Timothy B. Guffey

41,048

SEND CORRESPONDENCE TO:

James F. Mc Bride

The Procter & Gamble Company

6071 Center Hill Avenue

Cincinnati, OH 45224

Telephone No. 513-634-1402 Fax No.: 513-634-3752

by declare that all statements made herein of my own knowledge are true and that all statements made on information and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Robert Lawrence Prosise
Inventor's signature _____

Date _____

Residence 7104 Larchwood; Cincinnati, OH 45241

Citizenship USA

Mailing Address 7104 Larchwood; Cincinnati, OH 45241

Full name of second joint inventor, if any Christopher Randall Beharry

Inventor's signature _____

Date _____

Residence 622 Marview Terrace; Cincinnati, OH 45231

Citizenship USA

Mailing Address 622 Marview Terrace; Cincinnati, OH 45231

Full name of third joint inventor, if any Joseph James Elsen

Inventor's signature _____

Date _____

Residence 4707 Chalet Drive; St. Bernard, OH 45217

Citizenship USA

Mailing Address 4707 Chalet Drive; St. Bernard, OH 45217

Full name of fourth joint inventor, if any Ralph Lawrence Helmers, Jr.

Inventor's signature _____

Date _____

Residence 5411 Bluesky Drive, #22; Cincinnati, OH 45247

Citizenship USA

Mailing Address 5411 Bluesky Drive, #22; Cincinnati, OH 45247

Full name of fifth joint inventor, if any Jeffrey John Kester

Inventor's signature _____

Date _____

Residence 6933 Hidden Ridge Drive; West Chester, OH 45069

Citizenship USA

Mailing Address 6933 Hidden Ridge Drive; West Chester, OH 45069

Full name of sixth joint inventor, if any Raymond Louis Niehoff

Inventor's signature _____

Date _____

Residence 6269 Bach Drive; West Chester, OH 45069

Citizenship USA

Mailing Address 6269 Bach Drive; West Chester, OH 45069

Full name of seventh joint inventor, if any Robert Joseph Sarama

Inventor's signature _____

Date _____

Residence 136 Shingleoak Drive; Loveland, OH 45140

Citizenship USA

Mailing Address 136 Shingleoak Drive; Loveland, OH 45140

Full name of eighth joint inventor, if any Susana Rosa Waimin Siu
Inventor's signature _____

Date _____

Residence 3448 Edwards Road, Apt. #9; Cincinnati, OH 45208

Citizenship Honduran

Mailing Address 3448 Edwards Road, Apt. #9; Cincinnati, OH 45208

Full name of ninth joint inventor, if any Thomas Joseph Wehmeier

Inventor's signature _____

Date _____

Residence 984 Martini Road; Cincinnati, OH 45233

Citizenship USA

Mailing Address 984 Martini Road; Cincinnati, OH 45233

Full name of tenth joint inventor, if any Vince York-Leung Wong

Inventor's signature _____

Date _____

Residence 6467 Katherine Manor Court, Hamilton, Ohio, 45011

Citizenship USA

Mailing Address 6467 Katherine Manor Court, Hamilton, Ohio, 45011



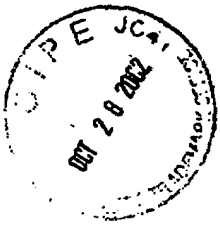
DATE: 10-02-02 PAYEE: Commissioner of Patents VENDOR #: 001892 CHECK #: 124176

INVOICE NUMBER	INV. DATE	INVOICE DESCRIPTION	AMOUNT
076012/9020 343	10-02-02		280.00
TOTAL			280.00

MICHAEL BEST & FRIEDRICH ATTORNEYS AT LAW 100 East Wisconsin Avenue Milwaukee, WI 53202-4100		U.S. Bank Milwaukee, WI 53259	12-30 750
DATE 10-02-02		CHECK NO 124176	
PAY TWO HUNDRED EIGHTY AND 00/100 DOLLAR		AMOUNT	280.00
TO THE ORDER OF Commissioner of Patents and Trademarks Washington, DC 20231		VOID AFTER 6 MONTHS	
		<i>[Signature]</i>	

⑈ 124176 ⑈ ⑆075000103⑆ 182322420361⑈

RECEIVED
OCT 30 2002
TC 1700 MAIL ROOM



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit unknown

1761

#5/DF
11/4/02

In re

Patent Application of

Robert Lawrence Prosise, et. al.

Application No. 09/827,436

Confirmation No.: unknown

Filed: April 6, 2001

Examiner: unknown

"NUTRITIONALLY BALANCED
TRADITIONAL SNACK FOODS"

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Maryann Wiecezorek, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Maryann Wiecezorek
Signature

10/23/02
Date of Signature

RECEIVED
OCT 30 2002
TC 1700 MAIL ROOM

Enclosed for filing in the above-identified application is a "Revocation and Substitute Power of Attorney" directing that all future correspondence be directed as identified therein.

Respectfully submitted,

Timothy M. Kelley

Timothy M. Kelley
Reg. No. 34,201

File No. 066544-9010-00

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560

and that the undersigned is an officer of Assignee and has authority to execute this document on behalf of Assignee.

Please send all further correspondence to:

Timothy M. Kelley
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
Telephone: (414) 271-6560

Mid-America Commercialization Corporation

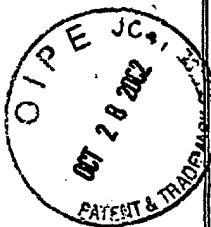
Dated: 21 October 2002


Ronald L. Sampson
President and CEO

File No.: 066544-9010-00

RECORDATION FORM COVER SHEET
PATENTS ONLY

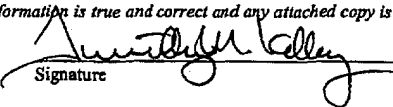
U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Box Assignments, Commissioner of Patents and Trademarks, Washington, D. C. 20231 United States Postal Service Express Mail Mailing Label No. EV107229011US

Please record the attached original documents or copy thereof.

EV107229011US

<p>1. Name of conveying party(ies): The Procter & Gamble Company</p>		<p>2. Name and address of receiving party(ies): Name: Mid-America Commercialization Corporation Address: 1500 Hayes Drive Manhattan, KS 66502 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: <u>September 23, 2002</u></p>		<p>RECEIVED OCT 30 2002 TC 1100 MAIL ROOM</p>	
<p>4. Application number(s) or patent number(s): A. Patent Application Serial Nos. 09/828,016 Filed: 04/06/2001 09/827,863 Filed: 04/06/2001 09/827,802 Filed: 04/06/2001 09/828,015 Filed: 04/06/2001 09/827,436 Filed: 04/06/2001 09/827,834 Filed: 04/06/2001 09/828,018 Filed: 04/06/2001</p>			
<p>Additional numbers attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Timothy M. Kelley Michael Best & Friedrich LLP 100 East Wisconsin Avenue Milwaukee, Wisconsin 53202-4108 Phone: (414) 271-6560</p>		<p>6. Total number of applications and patents involved: 7</p>	
		<p>7. Total fee (37 CFR 3.41):.....\$ 280.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Deficiencies in fee charged to Deposit Account</p>	
		<p>8. Deposit account number: <u>13-3080</u></p>	
<p>DO NOT USE THIS SPACE</p>			
<p>9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> Timothy M. Kelley (Reg. No. 34,201) Name of Person Signing  Signature October 3, 2002 Date Attorney File <u>076012-9020</u> Total number of pages including cover sheet, attachments, and document: 3</p>			
<p>OMB No. 0651-0011 (exp. 4/94)</p>			

cc: Docketing

ASSIGNMENT OF PATENT APPLICATIONS

This Assignment is made effective July 16, 2002, between The Procter & Gamble Company, an Ohio corporation, having its principal place of business at One Procter & Gamble Plaza, Cincinnati, OH 45208 (hereinafter referred to as "Assignor") and Mid-America Commercialization Corporation, a not-for-profit corporation organized under the laws of the State of Kansas, having its principal place of business at 1500 Hayes Drive, Manhattan, KS 66502 (hereinafter referred to as "Assignee").

WITNESSETH:

WHEREAS, Assignor has rights in and owns the United States patent applications identified in Addendum A attached hereto.

WHEREAS, pursuant to that certain Donation Agreement dated July 16, 2002, the Assignor and Assignee have agreed to the assignment hereinafter set forth.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor:

1. Assignor hereby agrees to assign and assigns to Assignee, its successors and assigns, absolutely and forever all its right, title and interest to any and all patents, and to any and all rights relating to said patents owned by Assignor and identified in Addendum A attached hereto.

2. Assignor further assigns to Assignee all its rights to sue for past infringement of said patents and to recover any and all damages and awards for such infringement.

3. Assignor further covenants and agrees that it will, upon demand of Assignee, its successors or assigns, and without further consideration, execute any and all papers necessary or deemed to be necessary by Assignee or its successors or assigns to be a complete fulfillment of the intent and purpose of this Assignment.

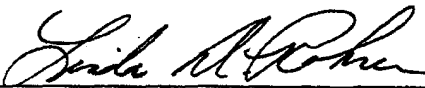
IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officers.

THE PROCTER & GAMBLE COMPANY

Date:

9/23/02

By



Linda D. Rohrer
Assistant Secretary

ADDENDUM A

UNITED STATES PATENT APPLICATIONS

Application No.	Filed	Published
09/828,016	04/06/2001	01-31-2002
09/827,863	04/06/2001	02-07-2002
09/827,802	04/06/2001	02-07-2002
09/828,015	04/06/2001	03-21-2002
09/827,436	04/06/2001	02-07-2002
09/827,834	04/06/2001	01-31-2002
09/828,018	04/06/2001	07-18-2002
PCT US01/11984	04/11/2001	10-25-2001
PCT US01/11987	04/11/2001	10-25-2001
PCT US01/11870	04/11/2001	10-25-2001

- () Transmittal Letter
 () PATENT APPLICATION
 () Specification (Incl. Claims if any) _____ Pgs.
 () Abstract of Disclosure
 () Information Disclosure Statement

- () Transmittal Letter
 () PATENT APPLICATION
 () Specification (Incl. Claims if any) _____ Pgs.
 () Abstract of Disclosure
 () Information Disclosure Statement
 () Patent Copies
 () Declaration & Power of Attorney
 () Declaration Claiming Small Entity Status
 (X) Assignment and Cover Sheet
 () Drawings _____ Sheets
 () Response to Missing Parts Notice
 () Response to Office Action/Amendment
 () Request for Ext. of Time for filing (_____)
 () Issue Fee Transmittal
 () Formal Drawings _____ Sheets
 () Maintenance Fee Transmittal
 (X) Fee Amount \$ 2800 09/28/02
 () Fee Amount \$ _____ Check No. _____

() Other (Specify) OCT 14 2002

Applicant: THE PROMETHEAN LABS, INC.
 Inventor: 09/828016
 Title: 09/827803 09/827436
09/827502 09/827839
 (X) Serial/Patent No. 09/828015 09/828018
 Due Date: _____ Mail Date: 10/3/02
 File No.: 076012-9020 Attorney: TMK
SAS